

REMARKS

In the Office Action mailed December 31, 2009 the Office noted that claims 1-20 were pending and rejected claims 1-20. Claims 1-20 have been amended, claim 4 has been canceled, and, thus, in view of the foregoing claims 1-3 and 5-20 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office states that the Specification should contain section headings. The Applicant submits herewith a replacement Specification. The Applicants further submit that no new matter has been added by the replacement Specification.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 101

Claims 10 and 11 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office asserts the claims are not squarely in any one of the four statutory claim types. The Applicant has amended the claim to recite an information recording medium with a computer program recorded thereon. As the computer program is **recorded** one of ordinary skill in the art would not say it was a

transient signal. Support for the Amendment may be found, for example, in ¶ 0057 of the printed publication Specification. The Applicant submits that no new matter is believed to have been added by the amendment of the Specification.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 1-5, 9-13, 15-17 and 19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Maillard, U.S. Patent Publication No. 2002/0129249 in view of Booth, WO 01/61437. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

On page 9 of the Office Action, it is asserted that Booth, page 6, lines 12-31 discloses "for ensuring the integrity of a group of several computer software programs which can each be carried out by the at least one encryption/decryption module, characterised in that step e) **comprises an operation (44) for constructing a single identifier for the group of several computer software programs to be transmitted during step c)** based on information relating to each of the software programs of the group and in that step g) consists in carrying out the same operation as that carried out during step e) in order to reconstruct a unique identifier corresponding to that constructed during step e) if the group received by the decoder is identical to that transmitted by the transmitter," (Emphasis added) as in

cancelled claim 4.

However, Booth, page 6, lines 16-26 state

a master processor connected to an input data line for receiving blocks of programming code, each of which is associated with **an authentication signature derived from the content of the block of code**; a memory unit for storing the blocks of programming code; and a secure processor for independently **computing an authentication signature for each block of programming code** and matching the computed authentication signature against the authentication signature transmitted with that block of code. [Emphasis added]

Thus, in Booth a separate authentication signature is generated for each block of code.

Therefore, Booth fails to disclose constructing a single identifier for a group of several computer software programs to be transmitted where the single identifier is based on information relating to each of the software programs of the group. Further, Maillard fails to disclose such a feature.

None of the documents discloses a method for ensuring the integrity of a group of several computer software programs, which can each be carried out by means of at least one encryption/decryption module, the method comprising an operation for constructing a single identifier for the group of several computer software programs to be transmitted to the at least one encryption/decryption module by a transmitter, and the single identifier being based on information relating to each of the software programs of the group.

Instead the combination of Maillard and Booth would result in a method wherein each computer software program of the

group has its own identifier which is then encrypted, so the execution of the method of the combined references is slower than the method of the instant claims.

Thus, the Applicants have amended independent claims 1 and 12 to include the features of claim 4.

For at least the reasons discussed above, Maillard and Booth, taken separately or in combination, fail to render obvious the features of claims 1 and 12 and the claims dependent therefrom.

Claims 14 and 18 stands rejected under 35 U.S.C. § 103(a) as being obvious over Maillard in view of Booth in further view of Gammie, U.S. Patent No. 5,029,207. The Applicants respectfully disagree and traverse the rejection with an argument.

Gammie adds nothing to the deficiencies of Maillard and Booth as applied against the independent claims. Therefore, for at least the reasons discussed above, Maillard, Booth and Gammie taken separately or in combination, fail to render obvious the features of claims 14 and 18.

Claims 6-8 and 20 stands rejected under 35 U.S.C. § 103(a) as being obvious over Maillard in view of Booth in further view of Nagae, U.S. Patent No. 5,598,530. The Applicants respectfully disagree and traverse the rejection with an argument.

Nagae adds nothing to the deficiencies of Maillard and

Booth as applied against the independent claims. Therefore, for at least the reasons discussed above, Maillard, Booth and Nagae taken separately or in combination, fail to render obvious the features of claims 6-8 and 20.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 101 and 103. It is also submitted that claims 1-3 and 5-20 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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**APPENDIX:**

The Appendix includes the following item(s):

- ☐ - a new or amended Abstract of the Disclosure
- ☐ - a Replacement Sheet for Figure      of the drawings
- ☒ - a Substitute Specification and a marked-up copy of the originally-filed specification
- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☐ - a verified English translation of foreign priority document